



General Assembly

February Session, 2006

Raised Bill No. 5214

LCO No. 1485

01485_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE USE OF HAND-HELD MOBILE
TELEPHONES OR MOBILE ELECTRONIC DEVICES BY CERTAIN
EMPLOYEES OF THE JUDICIAL BRANCH.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 14-296aa of the 2006 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective October 1, 2006*):

4 (b) (1) Except as otherwise provided in this subsection and
5 subsections (a), (c) and (d) of this section, no person shall operate a
6 motor vehicle upon a highway, as defined in subsection (a) of section
7 14-1, as amended, while using a hand-held mobile telephone to engage
8 in a call or while using a mobile electronic device while such vehicle is
9 in motion. (2) An operator of a motor vehicle who holds a hand-held
10 mobile telephone to, or in the immediate proximity of, his or her ear
11 while such vehicle is in motion is presumed to be engaging in a call
12 within the meaning of this section. The presumption established by
13 this subdivision is rebuttable by evidence tending to show that the
14 operator was not engaged in a call. (3) The provisions of this
15 subsection and subsection (a) of this section shall not be construed as

16 authorizing the seizure or forfeiture of a hand-held mobile telephone
 17 or a mobile electronic device, unless otherwise provided by law. (4)
 18 Subdivision (1) of this subsection does not apply to: (A) The use of a
 19 hand-held mobile telephone for the sole purpose of communicating
 20 with any of the following regarding an emergency situation: An
 21 emergency response operator; a hospital, physician's office or health
 22 clinic; an ambulance company; a fire department; or a police
 23 department, or (B) any of the following persons while in the
 24 performance of [his or her] their official duties and within the scope of
 25 [his or her] their employment: A peace officer, as defined in
 26 subdivision (9) of section 53a-3, a firefighter, [or] an operator of an
 27 ambulance or authorized emergency vehicle, as defined in subsection
 28 (a) of section 14-1, as amended, or an employee of the judicial branch
 29 while transporting a child or youth in a motor vehicle during the
 30 performance of such employee's official duties, or (C) the use of a
 31 hands-free mobile telephone.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2006</i>	14-296aa(b)
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Statement of Purpose:

To allow juvenile detention transportation workers and juvenile probation officers employed by the judicial branch to use hand-held mobile telephones or mobile electronic devices while operating motor vehicles in the performance of their official duties.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]